

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JANIS LOWE *et al*,

Plaintiffs,

v.

ELTAN B.V. *et al*,

Defendants.

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Civil Action No. 9:05CV38

**ORDER ADOPTING REPORT AND RECOMMENDATION ON CERTAIN
DEFENDANTS' MOTION TO DISMISS**

.Plaintiffs Janis Lowe *et al* filed this shareholder suit against Defendants Eltan B.V. *et al*. The case was referred to United States Magistrate Judge Keith F. Giblin for determination of non-dispositive pretrial matters pursuant to 28 U.S.C. § 636.

On March 6, 2014, Judge Giblin entered a Report and Recommendation recommending that Defendants Genssler Investment Partnership LLP and Technology Investors Trust's motion to dismiss be granted under Federal Rule of Civil Procedure 12(b)(6) as barred by the statute of limitations or, in the alternative, for failure to state a claim upon which relief may be granted. Doc. # 249. No objections have been filed to this Report and Recommendation.

Therefore, the objections period having run and no party having filed objections, the court ADOPTS the magistrate judge's Report and Recommendation [Doc. # 249] and GRANTS Defendants Gennsler Investment Partnership LLP and Technology Investors Trust's Motion to Dismiss [Doc. # 231]. Plaintiffs Janice Lowe *et al*'s claims against these two Defendants only are DISMISSED.

So **ORDERED** and **SIGNED** this **25** day of **March, 2014**.



Ron Clark, United States District Judge